

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ADAM STANTON,

Plaintiff

vs.

BUTLER COUNTY SHERIFF'S
DEPARTMENT, et al.,

Defendants.

Case No. 1:15-cv-149

Dlott, J.
Bowman, M.J.

REPORT AND RECOMMENDATION

On July 23, 2015, the Court Ordered Plaintiff to show cause, in writing, within **TWENTY (20) DAYS**, why Defendant Rumpler's motion to dismiss should be construed as unopposed and granted for the reasons stated therein. (Docs. 17).

To date, Plaintiff has not filed a response in opposition to either Defendant's motion to dismiss nor has he responded to the pending Show Cause Order. The record also reflects that the Court's order was returned as undeliverable, adding an alternate ground for dismissal to that presented by Defendant, i.e., for failure to keep the Court informed of his address. (Doc. 19).

Plaintiff's failure to prosecute this matter and to obey an Order of the Court warrants dismissal of this case pursuant to Fed.R.Civ.P. 41(b). See *Jourdan v. Jabe*, 951 F.2d 108, 109–10 (6th Cir.1991). District courts have the power to *sua sponte* dismiss civil actions for want of prosecution to “manage their own affairs so as to achieve the orderly and expeditious disposition of cases.” *Link v. Wabash R.R.*, 370 U.S. 626, 630–31, 82 S.Ct. 1386, 8 L.Ed.2d 734 (1962). See also *Jourdan*, 951 F.2d at 109. Though plaintiff is proceeding pro se, as stated by the Supreme Court, “we have

never suggested that procedural rules in ordinary civil litigation should be interpreted so as to excuse mistakes by those who proceed without counsel.” *McNeil v. United States*, 508 U.S. 106, 113 (1993).

Accordingly, the undersigned **RECOMMENDS** that Plaintiff's claims against Defendant Rumpler be **DISMISSED** for want of prosecution and for failure to obey a Court Order. As no additional claims remain pending, the undersigned further **RECOMMENDS** that this case be **CLOSED**.

s/ Stephanie K. Bowman
Stephanie K. Bowman
United States Magistrate Judge

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NOTICE

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to this Report & Recommendation ("R&R") within **FOURTEEN (14) DAYS** after being served with a copy thereof. That period may be extended further by the Court on timely motion by either side for an extension of time. All objections shall specify the portion(s) of the R&R objected to, and shall be accompanied by a memorandum of law in support of the objections. A party shall respond to an opponent's objections within **FOURTEEN DAYS** after being served with a copy of those objections. Failure to make objections in accordance with this procedure may forfeit rights on appeal. See *Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).